

Assembly Concurrent Resolution

No. 30

Introduced by Assembly Member V. Manuel Pérez

March 5, 2013

Assembly Concurrent Resolution No. 30—Relative to pupil rights.

LEGISLATIVE COUNSEL’S DIGEST

ACR 30, as introduced, V. Manuel Pérez. Pupil rights: Student and Youth Bill of Rights.

This measure would declare that the Legislature recognizes the importance of engaging with young people to influence decisions that affect their quality of life and well-being, and that the Student and Youth Bill of Rights serves as a framework to guide and inform the youth of the state in organizing and advocating policy issues on their own behalf.

Fiscal committee: no.

1 WHEREAS, In the state of California, children, youth, and
2 young adults under 25 years of age comprise roughly one-third of
3 the state’s population; and

4 WHEREAS, The youth of California are among the state’s
5 greatest assets and are an important indicator of the state’s future
6 prosperity. The youth of the state are tomorrow’s workers,
7 entrepreneurs, educators, public servants, and community leaders
8 and need the education and training to participate and succeed in
9 the California economy; and

10 WHEREAS, It is projected that by 2018, nearly two-thirds of
11 the jobs in California and the nation will require some college or
12 additional training after high school and it is imperative that our
13 youth are prepared to compete for jobs in this economy. However,

1 many youth in California lack the basic conditions that promote
2 their well-being and educational success; and

3 WHEREAS, The face of California is changing and racial and
4 ethnic minorities now comprise the majority of the student
5 population as Latino, Asian, African American, Pacific Islander,
6 and mixed-race students make up 73 percent of all California
7 students; and

8 WHEREAS, While many populations face barriers and
9 challenges, an abundant body of research has demonstrated that
10 young people of color disproportionately experience lower and
11 worsening outcomes with regard to educational attainment,
12 socio-economic status, health status, and interactions with the
13 juvenile justice and child welfare systems; and

14 WHEREAS, Young people of color are more likely to grow up
15 in neighborhoods where they confront challenges to their safety
16 and well-being and also are more likely to attend schools that lack
17 the facilities, funding, and support staff, including, but not limited
18 to, counselors, coaches, and after school programs, that contribute
19 to a successful learning environment; and

20 WHEREAS, Young people of color are more likely to start their
21 adult lives without a high school diploma as a result of the barriers
22 they encounter. African Americans over 25 years of age are nearly
23 twice as likely to be without a high school diploma as their white
24 counterparts, and Latinos are almost seven times as likely to lack
25 a high school diploma compared to their white counterparts.
26 Furthermore, young people of color who graduate from high school
27 are less likely to be prepared for college, with data showing that
28 only 14 percent of Latino high school graduates and 15 percent of
29 African American high school graduates have completed the
30 courses needed to access higher education; and

31 WHEREAS, In seeking to respond to these sobering conditions,
32 it is not enough to appeal to individual responsibility,
33 self-discipline, and personal commitment to one's self-actualization
34 as the remedy. Instead, a societal commitment is needed to confront
35 and rectify these barriers with an understanding of, and deriving
36 hope from, the fact that they are human made and can be changed;
37 and

38 WHEREAS, All young people have a stake and role to play in
39 this effort and must be active participants in articulating a vision
40 for surmounting these challenges. Therefore, beginning in 2011,

1 hundreds of youth and youth advocates throughout California
2 began a process of needs identification to develop a “Student and
3 Youth Bill of Rights” to serve as a framework for doing so; and

4 WHEREAS, In keeping with the basic principles of our
5 democracy, the Student and Youth Bill of Rights is premised on
6 the fundamental belief that the right to a quality of life shall not
7 be denied or abridged based on one’s race, gender, ethnicity, sexual
8 orientation, disability, religion, socio-economic status, place of
9 residence, country of origin, or previous and resolved contact with
10 the justice system; and

11 WHEREAS, The Student and Youth Bill of Rights also rests
12 on the belief that in addition to educational opportunity, youth
13 need supportive conditions in which to thrive and grow, including
14 safe and secure housing, safe neighborhoods and communities,
15 basic human services, healthy and nutritious food, physical activity
16 and recreation, art and culture, affordable and accessible public
17 transportation, and dental and health care, among other supports;
18 and

19 WHEREAS, The Student and Youth Bill of Rights sets forth
20 that all students are deserving of safe and secure public school
21 facilities of equal quality, regardless of whether it is a magnet
22 school, a continuation school, or a charter school or the public
23 school is in a rural, urban, or suburban location; and

24 WHEREAS, Youth in California should be served by school
25 districts that are adequately funded through a school finance system
26 that is fair, transparent, equitable, and accountable. The system
27 should recognize the additional educational barriers experienced
28 by particular subgroups, including, but not limited to, English
29 learners and children living in poverty, and include a transparent
30 method for ensuring the allocation of supplemental funding tied
31 to their amelioration; and

32 WHEREAS, Youth should have the opportunity to study
33 curriculum that is relevant to their life experiences, includes content
34 acknowledging the ongoing struggle of oppressed peoples, and
35 examines the material, social, and cultural needs of their
36 communities. This knowledge helps personalize education for all
37 youth and provides them with examples of how to become agents
38 of change in their communities; and

39 WHEREAS, Students and youth with children of their own
40 should have the right of access to affordable day care for their

1 children as long as they maintain a passing grade point average or
2 employment; and

3 WHEREAS, Students and youth have a right to receive their
4 school records, transcripts, test scores, medical records,
5 immunization records, and key identification documents in order
6 to access schools and public and community resources without
7 prejudice and in a timely manner. Youth exiting foster care, group
8 homes, mental health facilities and other facilities, including, but
9 not limited to, detention or incarceration facilities, should be
10 assured timely access to these documents as well as referrals to
11 education and essential services at the time of their release; and

12 WHEREAS, Communities should have the ability to establish
13 and be engaged in the development of programs for restorative
14 and transformative justice and positive behavior interventions in
15 their schools that make use of intervention workers and peace
16 builders in schools and communities to address conflicts while
17 preventing school suspension, expulsion, and arrests, providing
18 safe passage to and from school, providing for rumor control and
19 retaliation prevention, and building truces and cease fires between
20 neighborhoods; and

21 WHEREAS, Due to the importance of family stability to child
22 and youth development, teen and young adult parents incarcerated
23 due to nonviolent and nonsexual crimes should be encouraged and
24 supported to remain in contact with their children. Similarly, youth
25 whose parents are detained or incarcerated should be assisted to
26 the extent possible in maintaining family bonds; and

27 WHEREAS, New schools and other youth-serving facilities
28 should be built to encourage and celebrate youth identities and
29 possibilities, with attention focused not only on function but also
30 on what is communicated through the design and aesthetic aspects
31 of the buildings and the environments they support; and

32 WHEREAS, Pupils and youth deserve the opportunity to
33 develop, make mistakes, and grow with appropriate limits
34 established and without unreasonable school, court, or law
35 enforcement labeling and surveillance. In instances when the law
36 is broken, due process should not be denied, and youth under 18
37 years of age should not be added to police databases without a fair
38 and just trial, and pupils and youth should be secure from arbitrary
39 police stops, searches and seizures, excessive ticketing and fines,
40 and criminalization of truancy or lateness to school; and

1 WHEREAS, On completion of elementary and secondary
2 education, California high school graduates should be prepared to
3 either enter into a career or have acquired the knowledge and
4 completed the coursework necessary to start a successful college
5 tenure; and

6 WHEREAS, All eligible students, including immigrant students,
7 should have access to affordable and available higher education,
8 ensuring that course offerings are available not only for the
9 full-time, nonworking students, but that ample evening, weekend,
10 and online courses are available for those who work while pursuing
11 an education; and

12 WHEREAS, The state is just one partner among many that must
13 be invested in the fulfillment of our societal promise to California's
14 youth, and other critical partners are parents, peers, neighbors,
15 philanthropy, the private sector, and nongovernmental
16 organizations; now, therefore, be it

17 *Resolved by the Assembly of the State of California, the Senate*
18 *thereof concurring*, That the Legislature recognizes the importance
19 of engaging with young people to influence decisions that affect
20 their quality of life and well-being, and that the Student and Youth
21 Bill of Rights serves as a framework to guide and inform the youth
22 of the state in organizing and advocating policy issues on their
23 own behalf; and be it further

24 *Resolved*, That the Chief Clerk of the Assembly transmit copies
25 of this resolution to the author for appropriate distribution.